



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of I. McVEY, et al. ) Examiner: B. CHIN  
Serial No.: 10/047,317 ) Art Unit: 1744  
Filed: January 14, 2002 ) Confirmation: 7063  
For: **HIGH CAPACITY FLASH** )  
**VAPOR GENERATION** )  
**SYSTEMS** )  
Date of Last Office Action: )  
August 1, 2005 )  
Attorney Docket No.: ) Cleveland, OH 44114  
MEDZ 2 01221 US ) October 21, 2005

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING**  
**REJECTION (37 CFR 1.321(b))**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Identification Of Person(s) Making This Disclaimer

Name(s) of disclaimant: Thomas E. Kocovsky, Jr. and Ann M. Skerry of  
Fay, Sharpe, Fagan, Minnich & McKee, LLP, 1100 Superior Avenue, Seventh Floor,  
Cleveland, Ohio 44114, represent that we are representatives authorized to sign on  
behalf of the assignee identified below.

Name of Assignee: STERIS INC.  
Address of Assignee: 43425 Business Park Drive  
Temecula, CA 92590

Certificate of Mailing

I certify that this **TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 CFR 1.321(b))** in  
connection with Ser. No. 10/047,317 is being

- ☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.  
☐ transmitted to facsimile number under 37 C.F.R. § 1.8 on the date indicated below.

Date  
October 21, 2005

Signature  
*Hilary M. McNulty*  
Printed Name  
Hilary M. McNULTY

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Title of disclaimant: Registered Attorney for Assignee authorized to sign on behalf of Assignee.

Recordal of Assignment in PTO

Assignments were recorded on April 22, 2002 at Reel 012821, Frame 0115 and on October 20, 2003 at Reel 014603, Frame 0552.

Extent of Interest

The extent of the interest is in the whole of the invention

I state that the relevant evidentiary documents have been reviewed, and certify that to the best of my knowledge and belief, title is in the assignee taking this action.

Disclaimer

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of

Any patent granted on application number 10/077,224

Any patent granted on application number 10/940,495

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

Any patent granted on application number 10/077,224

Any patent granted on application number 10/940,495

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

In making the above disclaimer, the Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of

Any patent granted on application number 10/077,224

Any patent granted on application number 10/940,495,

as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

**FEE PAYMENT**

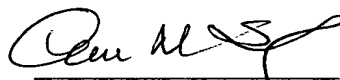
Payment of the terminal disclaimer fee under 37 CFR 1.20(d) and 37 CFR 1.321 in the amount of \$ 130.00 is authorized to be charged to a Credit Card. The applicants enclose and appropriate form PTO-2038 for this purpose.

Please charge Deposit Account No. 06-0308 for any fee deficiency required by this paper.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
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